



Terms of Reference

Discipline Committee

Authority	The Discipline Committee (the “Committee”) is a statutory committee established under sections 19(1)(t) and section 38 and 39 of the <i>Health Professions Act</i> (the “Act”) and section 19 of the College’s bylaws.
Mandate	To hear and determine a matter set for hearing by citation issued under section 37 and 38(1) of the <i>Act</i> .
Responsibilities	<p>The Committee will comply with all requirements of the <i>Act</i>.</p> <p>The Committee must conduct all discipline hearings in accordance with section 38 of the <i>Act</i>.</p> <p>On completion of a hearing under section 38 of the <i>Act</i>, the Committee will, by order, dismiss the matter or make a determination in relation to the registrant pursuant to section 39(1) of the <i>Act</i>.</p> <p>If the Committee makes a determination under section 39(1) of the <i>Act</i>, the Committee may, by order, impose a penalty in accordance with section 39(2) of the <i>Act</i>.</p> <p>The Committee may impose conditions regarding suspension or eligibility of a registrant to apply for reinstatement of registration if the Committee makes a decision to suspend or cancel a registrant’s registration.</p> <p>All orders made by the Committee must be in writing, include reasons, be delivered to the registrant and complainant within 30 days and advise the registrant of their right to appeal.</p> <p>The Committee may award costs in accordance with section 39(4) – (7) of the <i>Act</i>.</p> <p>The Committee can consider previous, relevant disciplinary decisions to which the registrant was subject and undertakings or consents to reprimands given by the registrant.</p> <p>If the Committee learns that another college under the <i>Act</i> or a body in another province or a foreign jurisdiction that regulates a health profession in that province or foreign jurisdiction has found that the registrant committed an act that, in the opinion of the Committee, constitutes unprofessional conduct under the <i>Act</i>; or the registrant has admitted to another college under the <i>Act</i> or to a body in another province or a foreign jurisdiction that regulates a health profession in that province or foreign jurisdiction, that the registrant committed an act that, in the</p>

opinion of the Committee, constitutes unprofessional conduct under the Act, the Committee may, without issuing a citation or conducting a hearing under section 38 of the Act, make an order respecting the registrant, and sections 39(3), (5) and (7) to (10) of the Act applies as if a determination had been made under section 39(1) of the Act by the Committee.

The powers and duties of the Board regarding the revocation of corporation permits in section 44 of the Act are delegated to the Committee (section 98 (1) of the Bylaws).

Composition

The Committee consists of at least three persons appointed by the Board.

At least one-third of the Committee must consist of public representatives.

The Board chair and the registrar may not be ex officio members of the Committee.

No person may be a member of the Committee while being a member of the Inquiry Committee.

No member of the Committee may be a member of the panel hearing a matter in which they were involved as a member of the Inquiry Committee or has had any prior personal involvement.

The Chair (and Vice Chair if required) are appointed by the Board.

Competencies

One or more Committee members will have the following specific competencies or experience:

Adjudication and Hearing: Knowledge and experience of participating in and/or chairing hearings within a legislative framework, and an understanding of administrative law principles and procedural fairness.

Committee/Panel Leadership: Experience in facilitating committee or panel meetings, developing a positive culture, conflict resolution, and fostering effective decision making.

Governance Expertise: Understand how governance works, how committees should function, and be able to think critically about committee structures and practices.

Term of Appointment

Appointments for all Committee members, including the Committee chair, are for three years. Terms will be staggered to avoid complete change over of committee members in any given year. Appointees are eligible for reappointment by the Board, to a maximum of three consecutive terms.

A registrant appointed to the Committee ceases to be a member if they are no longer a registrant in good standing or if they become a College employee.

Any Committee member may resign from the Committee, upon written notification to the registrar. Committee members who are absent for more than three committee meetings per year may, upon review of the Board, be immediately removed. The chair has the discretion to approve, in advance, an extended absence of any Committee member.

A Committee member may be removed from the Committee by majority vote of the Board under section 23(1) of the bylaws.

Quorum	A majority of the Committee constitutes a quorum.
Panels	<p>The Committee may meet in panels of three persons of which one is a public member.</p> <p>The chair of the Committee must appoint the members of a panel and must designate a chair of the panel.</p> <p>The panel may exercise any power, duty or function of the Committee.</p>
Reporting	The Committee, via the Chair, must provide a written annual report of the Committee's activities to the Board.
Confidentiality	Each Committee member must sign a confidentiality policy at the time of each appointment and at the time of each term renewal, indicating their agreement to maintain the confidentiality, privacy, security, and integrity of all meeting and Committee materials.
Conflict of Interest	<p>Each Committee member must sign a conflict of interest policy at the time of each appointment and at the time of each term renewal, indicating their agreement to abide by the policy.</p> <p>Committee members must declare conflicts of interest prior to the discussion of individual agenda items or at any time a conflict of interest or potential conflict of interest arises.</p> <p>Once a conflict of interest is declared, the Committee must follow the guidance and directives in the conflict of interest policy.</p>